

Application Number 09/658,356
Amendment dated August 19, 2003
Reply to Office Action dated May 19, 2003

REMARKS

In view of the proceeding amendments and the following remarks, Applicants respectfully request the Examiner to reconsider the patent application identified above and withdraw the present rejection.

Claims 2-10, 12-14, and 16-18 are pending. Claims 2-10, 12-14, 16-17 currently stand rejected. The examiner objected to Claim 18 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all present limitations. Accordingly, Applicants have so rewritten Claim 18 in independent form as new Claim 19, and submit that it should be allowed.

Allowable Subject Matter:

The Examiner indicated that Claims 12-14 would be allowable if rewritten or amended to overcome the rejection under 35. U.S.C. §112, second paragraph. Applicants have responded accordingly.

The Examiner also indicated that Claim 18 would be allowable if rewritten in independent form including all limitations. Applicants have responded accordingly.

Drawings:

The Examiner objected to the drawings, regarding the "spectrophotometer" in Claim 5 and reference numeral 68 (page 12, lines 1-2). Applicants have corrected a typographical error in Figures 9 and 13, in which the spectrophotometer originally indicated as reference numeral 62 has been corrected to reference numeral 68. Because this corrects the subject matter as originally filed, no new matter has been entered.

The Examiner also objected to the drawings regarding reference numeral 38 in connection with "vertical carriage" and "rack" (page 8, lines 6-8). Applicants have responded

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accordingly, by amending the specification to clarify that reference numeral 38 refers to an element that may be identified as either a "vertical carriage" or a "rack". Because this amendment describes the subject matter as originally filed, no new matter has been entered.

35 U.S.C. §112:

The Examiner rejected Claim 4 under 35 U.S.C. §112, first paragraph, regarding the specification. Applicants respectfully traverse this rejection, and note that the term "calibrating" refers to the technique called "thresholding" which is well-known in the art.

The Examiner rejected Claims 2-10, 12-14 under 35 U.S.C. §112, second paragraph, regarding essential elements. Applicants have amended independent Claims 2, 6 and 12 to recite limitations related to sealing a portion of a tip.

The Examiner rejected Claim 7 under 35 U.S.C. §112, second paragraph, regarding the relative term "greater". Applicants have canceled Claim 7.

35 U.S.C. §103:

The Examiner rejected Claims 2-10 and 16-17 under 35 U.S.C. §103 (a) as being unpatentable over Jacobs, et al. (United States patent number 5,846,492). Applicants respectfully submit that the Claims distinguish the cited references.

Accordingly, Applicants respectfully request the Examiner to allow the present invention.

Respectfully submitted,
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